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UNITED PARCEL SERVICE

Mr. Josh Preetorius
Industrial Engineer
U. S. Battery Manufacturing Augusta, Inc.
1895 Tobacco Road
Augusta, Georgia 30906

Re: Notice of Inspection
Toxic Substances Control Act

Dear Ms. Preetorius:

This letter serves to confirm the March 8, 2018, telephone conversation between you and Mr. Gopal Timsina with the U.S. Environmental Protection Agency, Region 4. The details regarding the EPA's desire to conduct an inspection at U. S. Battery Manufacturing Augusta, Inc. located in Augusta, Georgia (the Facility) were discussed during the call. As indicated, the inspection will begin at 10:30 a.m. on April 11, 2018. Where necessary and agreeable to both parties, the EPA representative will take an offsite lunch break and resume inspection activities within a reasonable time (30 to 50 minutes).

The inspection will be conducted pursuant to Section 11 of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2610, to determine compliance with TSCA Sections 4, 5, 8, 12 and 13. As applicable, among the specific issues to be addressed are the chemical substances or mixtures manufactured, imported, processed, stored, used, or disposed of in relation to or associated with your establishments, facilities, or other premises. The inspector will (1) review files, data, and correspondence that are either required to be maintained by TSCA, or applicable to the chemical substances or mixtures within your facilities, and (2) interview personnel.

To facilitate the inspection, the EPA requests that you have available for the inspector to review at the time of the inspection the information identified in the enclosed document, "Information to be Prepared by the Facility for Review During the TSCA Inspection." The EPA prefers for this information to be presented electronically on a USB flash drive with the information requested in Sections A – H as separate Adobe portable file (pdf) files, searchable using optical character recognition (OCR), and the lists 1 – 3 identified in Sections I – K as separate Microsoft Excel Workbook files. You may print any document for clarity. Please do not mail, fax, email or otherwise send this information to the EPA unless specifically requested by the inspector.

TSCA Confidential Business Information (CBI) Claims

Under Section 14(a) of TSCA, the Facility may claim information submitted to the EPA under TSCA as CBI. TSCA CBI claims must be asserted and substantiated concurrently with the submission of the information, except for those types of information exempt under TSCA Section 14(c)(2). There are several procedural requirements that must be followed when asserting CBI claims in TSCA submissions.

Guidance for what to include in TSCA CBI substantiations can be found at: <https://www.epa.gov/tscacbi/what-include-cbi-substantiations#informationexempt>.

During the inspection and potentially after the inspection the inspector will most likely request that the Facility send certain information to the EPA. If requested, you must follow the directions below in submitting any such information.

If during the inspection or after the inspection some or all of the information requested by the inspector to be sent to the EPA is claimed by the Facility to be TSCA CBI:

- Mail the applicable information to **Mr. Tony Spann** at the letterhead address. The EPA recommends that the information be mailed in a manner that can be tracked by the Facility.
- To ensure confidentiality, the information should be placed in an inner envelop labeled “Confidential – To Be Opened by Addressee Only.” The inner envelop should be placed in an outer envelope for mailing.
- If the Facility is unable to provide the identity of a chemical substance or mixture because of a domestic and/or foreign supplier or customer CBI claim, please be prepared to identify those products at the time of the inspection.
- You must follow the above directions in submitting information claimed to be TSCA CBI to ensure that the security and confidentiality of the information is maintained.

If during the inspection or after the inspection none of the information requested by the inspector to be sent to the EPA is claimed to be TSCA CBI:

- Send the applicable information to **Mr. Gopal Timsina** at the letterhead address.

The EPA developed an information sheet entitled “U.S. EPA Small Business Resources” to help small businesses understand federal and state environmental laws and rights under the Small Business Regulatory Enforcement Fairness Act. The information sheet can be found on the internet at: www2.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf. If you have any questions, please contact Mr. Gopal Timsina of the EPA Region 4 staff at (404) 562-9017 or via email at timsina.gopal@epa.gov.

Sincerely,

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Robert W. Bookman
Chief
Chemical Management and
Emergency Planning Section

Enclosure

Information to be Prepared by the Facility for Review During the TSCA Inspection

Facility Name: U. S. Battery Manufacturing Augusta, Inc.

Location (City, State): Augusta, Georgia

A. General Company Information

1. Brief company history including ownership and nature of business.
2. Corporate structure including domestic and foreign parent companies.
3. Facilities owned by the company located in the USA including subsidiaries (name and location).
4. Number of employees at the Facility and corporate level.
5. The 2015 gross annual sales range for the Facility and corporate level (less than \$4 million, \$4 million to \$40 million or greater than \$40 million)

B. Process Flow Diagrams

1. Manufacturing and process flow diagrams listing each raw material input and the resulting products (by Chemical Abstracts Service Registry Number (CASRN)) for each step should be available for review. The flow diagrams should also include, if applicable, intermediates, byproducts, or catalysts.
2. For waste streams, intermediates or byproducts generated during the production processes, indicate the steps associated with the disposition of the on-site/off-site uses as it relates to marketing, recycling, or disposal.

C. TSCA Section 4 Records (Last three years)

1. For Chemical substances that were manufactured or imported and subject to a TSCA Section 4 Test rule, make available the Letters of intent to conduct testing or Requests for exemption from testing.
2. If applicable, provide proof of data submission.

D. TSCA Section 5(a)(1) and (2) Records (Last three years)

1. Bonafide Intent submitted.
2. Premanufacture Notices (PMNs), Low Volume Exemptions, Test Marketing Exemptions and Polymer Exemptions along with any EPA responses.
3. Significant New Use Rule Notices along with any EPA responses.
4. Notices of Commencements and associated production records.

E. TSCA Section 5(e) and (f) Records (Last three years)

1. TSCA Section 5(e)/(f) Consent Orders along with the applicable records.

F. TSCA Section 8(a) and 8(b) Records (Last three years)

1. Preliminary Assessment Information Rule (PAIR) information.
2. The 2016 Chemical Data Report (CDR) along with the applicable production records.

G. TSCA Section 8(c), (d), and (e) Records (Last five years)

1. Documentation of allegations of significant adverse reactions to health or the environment alleged to have been caused by the chemical substances/mixtures that were manufactured, processed or distributed by the Facility.

2. A list of any and all TSCA Section 8(d) health and safety studies submitted to EPA and copies of any and all health and safety information known by the Facility that were not submitted to EPA.
3. Documentation pertaining to the submission of substantial risk data associated with the chemical substance that were manufactured, processed or distributed by the facility.

H. Corporate Policies and Procedures

1. Facility and/or corporate policies developed to ensure compliance with TSCA Sections 4, 5, 8, 12 and 13.

I. List #1:

Chemical substances that were manufactured by the Facility in 2014 and 2015, including:

1. Accepted chemical name(s).
2. CASRN or the EPA accession number.
3. Production date.
4. Quantity produced per batch/per day.
5. Identification number used to track each batch.

For chemical substances imported in 2014 and 2015, include the following:

1. Accepted chemical name(s).
2. CASRN or the EPA accession number.
3. Percentage of each chemical substance in the mixture.
4. Import date.
5. Quantity imported per shipment.
6. Identification number used to track each shipment
7. Safety Data Sheet for each chemical substance/mixture imported

J. List #2

For chemical substances and mixtures purchased from domestic suppliers (U. S. distributors) and used at the Facility in manufacturing or processing activities between January 1, 2017, and December 31, 2017, including the following information for each chemical substance/mixture:

1. Accepted chemical name(s) of each component.
2. CASRN or the EPA accession number.
3. Supplier name and location (address).
4. If a CASRN is proprietary, provide a Safety Data Sheet from the supplier.

K. List #3

Chemical substances and mixtures exported from the United States by the Facility during the period covering January 1, 2016, through February 28, 2018, including:

1. Accepted chemical name (for mixtures indicate the accepted chemical name for each chemical substance and the estimated percentage of that chemical substance present in the mixture).
2. CASRN or the EPA accession number.
3. If applicable, indicate if the chemical substance is a byproduct or impurity
4. Export date.
5. Final destination (Country).